

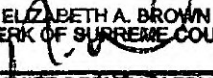
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
PHILIP SINGER, BAR NO. 7914.

No. 89211

FILED

DEC 11 2024

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER APPROVING CONDITIONAL GUILTY PLEA AGREEMENT

This is an automatic review of a Southern Nevada Disciplinary Board hearing panel's recommendation that this court approve, under SCR 113, a conditional guilty plea agreement in exchange for a stated form of discipline for attorney Philip Singer. Singer admitted to violating RPC 1.1 (competence), RPC 1.2 (scope of representation and allocation of authority between client and lawyer), RPC 1.3 (diligence), and RPC 3.2 (expediting litigation). Under the agreement, Singer agreed to a one-year suspension, to be stayed for a one-year probationary term with conditions.

Singer has admitted to the facts and violations as part of the guilty plea agreement. The record therefore establishes that Singer violated the above-referenced rules by failing to diligently pursue a client's case, which caused a delay in proceedings, caused the client to incur monetary sanctions, and resulted in the client obtaining alternate counsel.

The issue before this court is whether the agreed-upon discipline sufficiently protects the public, the courts, and the legal profession. *See In re Discipline of Arabia*, 137 Nev. 568, 571, 495 P.3d 1103, 1109 (2021) (stating the purpose of attorney discipline). In determining the appropriate discipline, we weigh four factors: "the duty violated, the lawyer's mental state, the potential or actual injury caused by the lawyer's

misconduct, and the existence of aggravating or mitigating factors.” *In re Discipline of Lerner*, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (2008).

Singer admitted to knowingly violating duties owed to his client (competence and diligence) and the profession (expediting litigation). Singer’s conduct caused injury or potential injury to his client and the legal profession. The baseline discipline for such misconduct, before considering aggravating and mitigating circumstances, is suspension. *See Standards for Imposing Lawyer Sanctions, Compendium of Professional Responsibility Rules and Standards*, Standard 4.42(a) (Am. Bar Ass’n 2023) (providing that suspension is appropriate when “a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client”); Standard 6.22 (“Suspension is generally appropriate when a lawyer knows that he or she is violating a court order or rule, and causes injury or potential injury to a client or a party, or causes interference or potential interference with a legal proceeding.”).

The record also supports the panel’s finding of one aggravating factor (prior disciplinary offenses) and seven mitigating factors (absence of a dishonest or selfish motive; timely good-faith effort to make restitution or rectify consequences of misconduct; remorse; full and free disclosure to disciplinary authority or cooperative attitude toward proceeding; has already put changes into place where change was needed; motivated by a desire to help his clients; a realization of changes in his intake process including the need to say no).¹ SCR 102.5(3), (4) (listing aggravating and

¹While some of the panel’s mitigating circumstances are not listed in SCR 102.5, the rule provides that the list “is illustrative and . . . not exclusive.” SCR 102.5(4).

mitigating circumstances). Considering all the factors, we conclude the agreed-upon discipline is appropriate.

Accordingly, we suspend attorney Philip Singer from the practice of law in Nevada for a period of one year commencing from the date of this order. The suspension is stayed for one year and Singer is placed on probation subject to the following conditions: (1) Singer shall complete 13 hours of continuing legal education (CLE) in civil practice and two hours of ethics CLEs during the probation period, in addition to the annual CLE requirements; (2) Singer shall complete these three Handle|Bar practice modules available on the State Bar's website and report completion of the modules and associated CLE credits directly to the Office of Bar Counsel: "Attorney Well-Being: It's More Than a State of Mind," "Client-Lawyer Relationships: Tips to Ethically Connect and Communicate," and "Fees, Costs & Billing: Your Guide to Getting Paid Ethically"; and (3) Singer shall participate in a mentoring program as outlined in SCR 105.5. As part of the mentoring program, the State Bar will receive monthly reports confirming that Singer's client's matters are being diligently or appropriately handled and indicating what new office policies or procedures Singer has adopted or implemented. Singer will implement office policies and procedures regarding calendaring and reminders. The State Bar will approve the mentor and the mentor must be someone new to Singer. Finally, Singer must pay the actual costs of the bar proceedings plus \$2,500 under SCR 120 within 30 days from the date of this order. If Singer breaches any of the above-listed conditions during the probationary period, the State Bar shall immediately convene a disciplinary hearing panel to conduct a hearing and make a recommendation as to whether this court

should revoke the stay and impose the one-year suspension. The State Bar shall comply with the applicable provisions of SCR 121.1.

It is so ORDERED.

Stiglich, J.
Stiglich

Pickering, J.
Pickering

Parraguirre, J.
Parraguirre

cc: Gary L. Guymon
Chair, Southern Nevada Disciplinary Board
Bar Counsel, State Bar of Nevada
Executive Director, State Bar of Nevada
Admissions Office, U.S. Supreme Court